

**IN THE UNITED STATES COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

DEREK WAYNE JACKSON <div style="text-align: center;">Petitioner,</div> <div style="text-align: center;">v.</div> <div style="text-align: center;">BRIAN COLEMAN, <i>et al.</i>, Respondents.</div>	: : : : : : : :	CIVIL ACTION NO. 13-5932
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ORDER

AND NOW, this 3rd day of September 2021, upon careful and independent consideration of the Petition for Writ of Habeas Corpus and all related filings; and upon review of the Report and Recommendation (“R&R”) of United States Magistrate Judge Timothy R. Rice and the objections thereto; and for the reasons stated in the accompanying memorandum opinion, it is hereby **ORDERED** that:

1. The Court will **HOLD** an evidentiary hearing on Petitioner’s claim that trial counsel was ineffective for failing to timely present medical evidence to suppress the confession (claim one), as recommended by the R&R, and on Petitioner’s claims that trial counsel was ineffective by failing to offer evidence at trial to discredit the confession (claim two), and for failing to develop evidence showing Petitioner lacked the specific intent to kill (claim four), as set forth in the memorandum opinion. The evidentiary hearing will be set by separate order.
2. The Court **DEFERS** final approval or adoption of the R&R until after the evidentiary hearing.

It is so **ORDERED**.

BY THE COURT:
/s/ Cynthia M. Rufe

CYNTHIA M. RUFÉ, J.